

RALPH J. MARRA, JR.
Acting United States Attorney
BY: ROBERT FRAZER
Assistant United States Attorney
970 Broad Street, Suite 700
Newark, New Jersey 07102
(973) 645-2897

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff,

v.

RASHEEM SMALL,
a/k/a "Roscoe,"
a/k/a "Sheem,"
ABDULLAH MEYERS,
a/k/a "Rock,"
EDWARD GILBERT,
a/k/a "Dooney,"
a/k/a "Doon,"
DONVAE BARNES,
a/k/a "Devoe,"
LUIS ESTEVEZ,
a/k/a "Lou,"
SHAWN JOHNSON,
a/k/a "SJ,"
ORINE WILLINGHAM,
a/k/a "Dump,"
QUAMEEM WILLIAMS,
a/k/a "Qua,"
DOMINICK PARDO, and
MICHELLE DAVIS

Defendants.

: Honorable Katharine S. Hayden, U.S.D.J.

: Criminal No. 08-09 (KSH)

: CONSENT JUDGMENT AND
: PRELIMINARY ORDER OF
: FORFEITURE

WHEREAS, pursuant to Title 21, United States Code, Section 853, a person convicted of an offense in violation of Title 21, United States Code, Section 846 shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the offense and, any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of that offense, and pursuant to Title 18, United States Code, Section 982 because there is probable cause to believe that it is property involved in a transaction or attempted transaction in violation of Title 18, United States Code, Section 1956 or represents property traceable to such property.

WHEREAS, by virtue of the above, the United States is now entitled to possession of the following properties (hereinafter the "Property"):

- 1) One green 2006 Custom Trailer, VIN:HMDNK2006105;
- 2) One black 1997 Dodge Ram 2500 pickup truck, VIN: 3B7KF23DXVM513486;
- 3) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 201 Dietz Street, Cranford, New Jersey 07016, more particularly described as: Block 570; Lot 9 of the Municipality of Cranford, on the Tax Map of Cranford, New Jersey, Deed Book 5517, Page 565;
- 4) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 114-116 Badger Avenue, Newark, New Jersey 07108, more particularly described as: Block 2664 Lot 42 & 43 of the Municipality of Newark, on the Tax Map of Newark, New Jersey, Deed Book 5940, Page 865;
- 5) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 118 Badger Avenue, Newark, New Jersey 07108, more particularly described as: Block 2664 Lot 41 of the Municipality of Newark, on the Tax Map of Newark, New Jersey, Deed Book 6349, Page 204;
- 6) Assorted Electronic Equipment consisting of:
 - (a) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060500133)
 - (b) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060500384)

- (c) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060400125)
- (d) One Samsung LT-P1745S (Serial Number: AA1Y3CHX701380E)
- (e) One Advent LC-15Y26 w/wall mount
(Serial Number: 246A0LC15Y26000644)
- (f) One Advent LC-15Y26 (Serial Number:22680LC15Y26018201)
- (g) One Tech View PTSW4200 (Serial Number:040949374)
- (h) One Sony KDF55WF65S (Serial Number: 9005794)
- (i) One Samsung HL-P5663W (Serial Number: 391E3CFX900082L)
- (j) One Sylvania 6632 w/wall mount (Serial Number: R13611034)
- (k) One Advent LC-15Y26 (Serial Number:26680LC15Y26024759)

WHEREAS, Defendant acknowledges that he possessed the Property in violation of 21 U.S.C. § 846, and that the Property is therefore subject to forfeiture to the United States pursuant to 21 U.S.C. § 853 and Title 18, United States Code, Section 982 for the violation of Title 18, United States Code, Section 1956 as set forth in the Plea Agreement. Defendant waives all interests in and claims to the Property described above, and hereby consents to the forfeiture of the Property to the United States. Defendant agrees to consent promptly upon request to the entry of any orders deemed necessary by the Government or the Court to complete the forfeiture and disposition of the Property. Defendant waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of forfeiture in the charging instrument, announcement of the forfeiture in Defendant's presence at sentencing, and incorporation of the forfeiture in the Judgment. Defendant acknowledges that he understands that forfeiture of the Property will be part of the sentence imposed upon the Defendant in this case and waives any failure by the Court to advise Defendant of this, pursuant to Federal Rule of Criminal Procedure 11(b)(1)(J), during the plea hearing. Pursuant to Rule 32.2(b)(3), Defendant will promptly consent to the order of forfeiture's becoming final before sentencing if requested by the Government to do so. Defendant

hereby waives, and agrees to hold the United States and its agents and employees harmless from, any and all claims whatsoever in connection with the seizure, forfeiture, and disposal of the Property described above. Defendant waives all constitutional and statutory challenges of any kind to any forfeiture carried out pursuant to this consent judgment.

WHEREAS, pursuant to the Plea Agreement, Rasheem Small consented and agreed to the forfeiture of all assets described in United States of America v. Assorted Jewelry, Items 1 through 43 of attached Exhibit A, Civil Action Number 08-2507, and agrees to execute a Consent Judgment forthwith in this related civil forfeiture action.

It is hereby **ORDERED, ADJUDGED AND DECREED:**

THAT the herein described assets, namely:

- 1) One green 2006 Custom Trailer, VIN:HMDNK2006105;
- 2) One black 1997 Dodge Ram 2500 pickup truck, VIN: 3B7KF23DXVM513486;
- 3) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 201 Dietz Street, Cranford, New Jersey 07016, more particularly described as: Block 570; Lot 9 of the Municipality of Cranford, on the Tax Map of Cranford, New Jersey, Deed Book 5517, Page 565;
- 4) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 114-116 Badger Avenue, Newark, New Jersey 07108, more particularly described as: Block 2664 Lot 42 & 43 of the Municipality of Newark, on the Tax Map of Newark, New Jersey, Deed Book 5940, Page 865;
- 5) All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 118 Badger Avenue, Newark, New Jersey 07108, more particularly described as: Block 2664 Lot 41 of the Municipality of Newark, on the Tax Map of Newark, New Jersey, Deed Book 6349, Page 204;
- 6) Assorted Electronic Equipment consisting of:
 - (a) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060500133)
 - (b) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060500384)

- (c) One AKAI LCT 2060 w/wall mount (Serial Number: C0A060400125)
- (d) One Samsung LT-P1745S (Serial Number: AA1Y3CHX701380E)
- (e) One Advent LC-15Y26 w/wall mount
(Serial Number: 246A0LC15Y26000644)
- (f) One Advent LC-15Y26 (Serial Number:22680LC15Y26018201)
- (g) One Tech View PTSW4200 (Serial Number:040949374)
- (h) One Sony KDF55WF65S (Serial Number: 9005794)
- (i) One Samsung HL-P5663W (Serial Number: 391E3CFX900082L)
- (j) One Sylvania 6632 w/wall mount (Serial Number: R13611034)
- (k) One Advent LC-15Y26 (Serial Number:26680LC15Y26024759)

are hereby forfeited to the United States of America for disposition in accordance with the law subject to the provisions 21 U.S.C. § 853 and Title 18, United States Code, Section 982; and

THAT pursuant to 21 U.S.C. § 853(n)(1), the United States shall publish at least once for three successive weeks, notice of this Order, notice of the Department of Justice's intent to dispose of the property in such a manner as the Attorney General may direct and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within **thirty (30)** days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the

nature and extent of the petitioner's rights, title or interest in each of the forfeited property and any additional facts supporting the petitioner's claim and the relief sought; and

THAT the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Forfeiture Order, as a substitute for published notice as to those persons so notified; and

THAT the aforementioned forfeited property is to be held by the United States Marshal's Service in its secure custody and control until the appropriate disposition of said Property by the United States; and

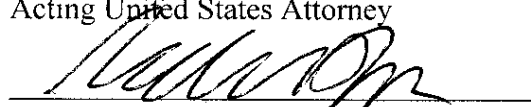
THAT upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. 853(n), in which all interests will be addressed.

ORDERED this 22nd day of April, 2009

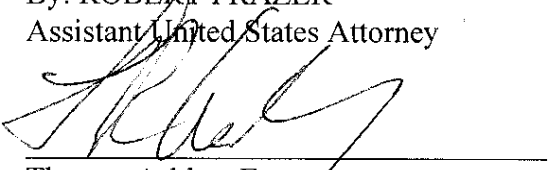

KATHARINE S. HAYDEN
United States District Judge

The Undersigned hereby
consent to the entry and
form of this order:

RAPLH J. MARRA, JR., ESQ.
Acting United States Attorney


By: ROBERT FRAZER
Assistant United States Attorney

Dated:


Thomas Ashley, Esq.
Attorney for Defendant
Rasheem Small

Dated: